

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

KEVIN P. MILLER,

Plaintiff,

v.

CITY OF BALLWIN and STATE OF  
MISSOURI,

Defendants.

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No. 4:05-CV-425-FRB

ORDER

This matter is before the Court on plaintiff's motion for leave to proceed on appeal in forma pauperis. The Court previously ruled that an appeal from the dismissal in this matter would not be taken in good faith. See Order of Dismissal dated June 20, 2005. As a result, plaintiff's motion for leave to proceed on appeal in forma pauperis must be denied. See 28 U.S.C. § 1915(a)(3).

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion for leave to proceed on appeal in forma pauperis is **DENIED**. [Doc. 13]

  
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CHARLES A. SHAW  
UNITED STATES DISTRICT JUDGE

Dated this 29th day of July, 2005.